

**AMENDMENT TRANSMITTAL LETTER (SMALL ENTITY)**

Ser. No.: 10/801,975	Filed: March 16, 2004	Examiner: Anuradha Ramana
Art Unit: 3733	Title: <b>EXPANDABLE SPHERICAL SPINAL IMPLANT</b>	

To the Commissioner for Patents:

Transmitted herewith is a (an) Amendment in the above-identified application. The fee(s) has (have) been calculated as shown below.

CLAIMS AS AMENDED						
	Claims remaining after amendment		Highest Number Previously Paid For	No. of Extra Claims Present	Rate	Additional Rate
Total Claims	51	Minus	83	0	X \$26	\$0
Indep. Claims	6	Minus	11	0	X \$110	\$0
<b>TOTAL</b>					<b>=</b>	<b>\$0</b>
<input checked="" type="checkbox"/>	No additional fee is believed due however, if this is not the case, the Commissioner is hereby authorized to charge any and all fees to Deposit Account No. 06-0308.					
<input type="checkbox"/>	Payment for the filing of this Amendment and/or any appropriate extension of time fees is/are authorized to be charged to a Credit Card. The appropriate PTO form 2038 is enclosed. If the Credit Card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308. If there are any additional fees required by this communication, please charge same to Deposit Account No. 06-0308.					
<input type="checkbox"/>	Applicant(s) hereby petition(s) the Commissioner under 37 C.F.R. § 1.136(a) and request a Not Applicable month extension of time to respond to the outstanding Office Action.					

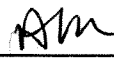
Respectfully submitted,

Fay Sharpe LLP

October 20, 2009

Date

Brian E. Turung, Reg. No. 35,394  
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216-363-9000

Certificate of Mailing or Transmission	
I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being	
<input type="checkbox"/>	deposited with the United States Postal Service as First Class Mail, addressed to: Mail Stop None, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
<input checked="" type="checkbox"/>	transmitted to the USPTO by electronic transmission via EFS-Web on the date indicated below.
Express Mail Label No.:	Signature: 
Date: October 20, 2009	Name: Adeline Machado